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* The hon. the PRESIDENT :—"The Council will now pass on to the next item of business.

"The remaining supplementary demand under Grant XXXV—Agency Tracts—Reserve is not to be moved and so it [shall be deemed to have been withdrawn."

[*Notes.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

SELECT COMMITTEE ON THE BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"Mr. President, I beg to move—

'that Mr. E. J. Rowlandson, a Member of this Council, be added to the Select Committee appointed on the 12th October 1928, to consider the Bill for the Suppression of Brothels and Immoral Traffic (Bill No. 16 of 1928).

"Sir, when we referred the Bill to the Select Committee last time we included the name of Mr. Cunningham. As he has now gone on leave, and as it is very important that a non-official Bill of this importance should have expert official assistance, I make this motion."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I second the motion."

Mr. C. GOPALA MENON :—"Sir, I beg to move—

'that Mr. F. E. James be also added to the Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic.'

"Sir, this is not an addition to the already existing number of members on the Select Committee, but this is as a substitute for Mr. Wright who has resigned from the Legislative Council, and therefore I hope the Council will have no difficulty in accepting my motion?"

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I second the motion."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I have great pleasure in accepting it."

* The hon. the PRESIDENT :—"The question is that Mr. E. J. Rowlandson and Mr. F. E. James be added to the Select Committee appointed on the 12th October 1928 to consider the Bill for the Suppression of Brothels and Immoral Traffic."

The motion was carried.

III

REPORT OF THE COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL TO CONFER WITH THE INDIAN STATUTORY COMMISSION.

Rao Bahadur Sir A. P. PATRO :—"Mr. President, Sir, in accordance with the resolution of the Madras Legislative Council passed on the 4th September 1928, I beg to present the report ^a of the Committee appointed by the Council in pursuance of the said resolution"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"Sir, I beg to move—

'that the report of the Committee of this Council elected in pursuance of the resolution of this Council dated 4th September 1928 to confer with the Indian Statutory Commission be taken into consideration.'

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The hon. Dr. P. SUBBARAYAN :—" I second the motion Sir."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, Sir, at the outset I wish to make clear the position of my party, the Congress party, in respect of the motion now before the House"

* The hon. the PRESIDENT :—" I wish to know under what Standing Order the hon. Member is making the position of his party clear."

* Mr. P. C. VENKATAPATHI RAJU :—" Just as any member has a right to make a statement"

* The hon. the PRESIDENT :—" Now, the motion is for consideration. Any statement made during the debate on this motion must be relevant to the question whether the report be taken into consideration or not. Any statement as to the position of the party except as to this question is not relevant to the motion before the House. I want that to be made clear. Any statement which a member makes on behalf of the party must be relevant to the motion. The motion now before the House is that the report be taken into consideration."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, I wish to submit that what I am going to state is only with reference to the motion before the House. As the leader of a party, I think, I have every right, in order to minimise discussion"

* The hon. the PRESIDENT :—" The hon. Member and his party have got every right to discuss the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" As the Leader of the Congress Party, I am going to express my views on the motion before the House."

* The hon. the PRESIDENT :—" I have not the slightest objection to the hon. Member expressing his views on the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" I think as the leader of the party I can also say that that is the view of my party."

* The hon. the PRESIDENT :—" You may say that, but any speech that the hon. Member makes must be relevant to the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" The Indian Statutory Commission, otherwise known as the Simon Commission, was appointed in the teeth of the opposition of practically all the important political parties in the country who boycotted the Commission in all the stages of its work in India. That the boycott has been successful has been admitted by the British Premier himself, Mr. Ramsay Macdonald, who had to admit that influential sections of political opinion in India had kept aloof from the Commission. All that has happened since has confirmed us in the view that the wisest and the most dignified and self-respecting course for India was only to boycott the Simon Commission. The 'gory progress' of the Commission throughout this country has still further alienated the country from that body.

" Moreover, the procedure of the Commission and the way in which it has treated with contempt the Central Committee and the Provincial Committees has shown that these Committees have nothing like an equal status with the Commission and that they are glorified witnesses who were tolerated as mere ornamental appendages. The Legislative Council was right in

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deciding to boycott the Commission. We opposed the motion to appoint a 'Committee to co-operate with the Simon Commission'. We see no reason to change our opinion.

"We feel that no useful purpose will be served by taking part in this discussion. We certainly cannot agree to the humiliating position which this motion and the amendment thereto ask the Legislative Council to agree to, namely, to submit a report to the Simon Commission. The country stands to gain nothing by the 'co-operation' but will lose a great deal in its prestige and honour. So far as the authorities either here or in Great Britain are concerned, our position is or ought to be well known. The national demand has been put before the country and the Government by the Indian National Congress. We stand by it . . ."

* The hon. the PRESIDENT:—"Order, order: I do not find any portion of the speech relevant to the motion before the House."

MR. P. C. VENKATAPATHI RAJU:—"We cannot stultify ourselves by taking any part in this discussion. We therefore propose to abstain from this discussion altogether."

* MR. P. ANJANEYULU:—"Mr. President, with due respect to your ruling, I beg to state that the President may be pleased to consider where a motion before the House is for consideration, a speech for non-consideration also is consideration. Portions of such speech may relate to the reasons why it may not be considered; and the Leader of my party was only urging those reasons why the Swarajists as a party are not inclined to consider the report presented to the House, and will have nothing to do with it. So, the reasons advanced by my Leader are relevant to this matter."

* The hon. the PRESIDENT:—"I have already stated that the hon. Member will be perfectly justified in saying that he will not consider the motion."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, on behalf of myself and of the group on this side of the House, I rise to say that we do not agree either with the recommendations of the Madras Simon Committee or even with the basic principles on which the Simon Commission itself was constituted. We believe that the report of the Committee is not conducive to the highest interests of the country and we could not believe that if the idea of the Government was to give this country responsible Government, it was necessary at all to send a roving Commission or to set up committees like this to consider the fitness of the people for responsible Government. We believe, Sir, that responsible Government is the birthright of the people and in accordance with that view we have always felt and expressed that we would have nothing to do with the Commission or the Committee constituted under it. We, therefore, Sir, do not propose to discuss this report, because we consider that it is not in the best interests of the country."

(At this stage the Congress Party and the Independent Nationalist Opposition Party headed by the respective Leaders walked out of the Chamber.)

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[Sir A. P. Patro]

* Rao Bahadur Sir A. P. PATRO :—"Sir, I beg to move the following amendment to the motion :

'The words: "*and that it may be forwarded to the Indian Statutory Commission*" be added at the end.'

"Sir, it is unnecessary for me to go into the details of the report which has been placed before this House and circulated to every member. All that I propose to do in support of this motion is only to attempt a brief survey of what we have been able to submit to this House and for the consideration of the public. Sir, in the large volume of evidence that was placed before us we have been able to see that there was a fundamental error in dealing with this question of the future political advance of the country. Witnesses and public men have placed greater reliance upon the working of the dyarchical system, upon its success or failure as affording the real test for the next political advance. We believe, Sir, that it is not the proper standard from which the political capacity of the Indians should be judged. If the circumstances and the conditions which existed in 1918 when the Montagu-Chelmsford report was published and which have compelled the British House of Commons to grant the concessions and to formulate the proposals which are embodied in the Government of India Act were now existing in greater and more intense form and whether within this period of nine years there has been any great advance which could justify the suggestions made in the report, it seemed to us as the proper criterion from which the political advance of the country could be judged."

* The hon. the PRESIDENT :—"Order, order. I am not able to follow how the hon. Member's speech is relevant to the amendment before us."

Rao Bahadur Sir A. P. PATRO :—"I respectfully ask, Sir, whether in moving my amendment I shall not have the opportunity of discussing what we have stated in the report of the Committee."

* The hon. the PRESIDENT :—"The position is this. The amendment may be put to the House and when once it is carried, then the amended proposition will be before the House for discussion. But the member who has moved an amendment will not be allowed to speak again."

Rao Bahadur Sir A. P. PATRO :—"I am very sorry that that is a very unfortunate position."

* The hon. the PRESIDENT :—"The rules are so. I am equally sorry but the rules have to be enforced." (Laughter.)

Rao Bahadur Sir A. P. PATRO :—"That is a very unfortunate position, Sir, to which the Mover of an amendment is subject. If he did not move his amendment, he would perhaps be in a better position. But having moved the amendment he is deprived of the privilege and right of speaking."

* The hon. the PRESIDENT :—"Further, if he speaks, he will not be allowed to move an amendment." (Laughter.)

Rao Bahadur Sir A. P. PATRO :—"In obedience to your ruling, Sir, I move—

'That the following words be added at the end :

"*and that it may be forwarded to the Indian Statutory Commission*":'

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Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—"I second it."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"If you will allow me, Sir, I move for a small verbal alteration and that is,

'That the word, "may", in the amendment be omitted as also the words "Indian Statutory".'

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* The hon. the PRESIDENT :—"It has been moved and seconded

"That the words "may" and "Indian Statutory" in the amendment be omitted."

The amendment was put and carried.

* The hon. the PRESIDENT :—"I shall now put the amended amendment of Sir Patro to the House. The question is:

'That the words: "and that it be forwarded to the Commission" be added at the end.'

The amendment was carried.

* The hon. the PRESIDENT :—"The motion as amended is now for the discussion of the House."

Rao Sahib R. SRINIVASAN :—"Sir, I rise to make the following few observations after reading the report of the Committee of this Council which is now before the House. The question may be asked in the first place: Is there the need for political changes in the country at present? I think not myself. But who are the people who clamour for changes? It is not the millions of the depressed classes of the population, nor again the hard-worked labouring class from whom the cry for any advance should legitimately originate, but it is from the comparatively small educated, wealthy and interested people."

* The hon. the PRESIDENT :—"Order, order. I am closely following the speech of the hon. Member; but how all this is relevant to the motion I fail to see. Any remark of the hon. Member accepting, modifying or rejecting any of the views expressed by the Committee will be relevant. As the hon. Member is bringing in extraneous details, I am bound to say that the speech is irrelevant to the motion."

* Mr. S. N. DORAI RAJA :—"Mr. President, Sir, it is a great pity that my hon. Friends the Swarajist Members of this Council who are able and intelligent men should run away at the first touch of responsibility."

* The hon. the PRESIDENT :—"Order, order. I request the hon. Member to confine himself to the terms of the motion, instead of making such observations. He must be aware that the Swarajist Members are not present here to hear the music of his words."

* Mr. S. N. DORAI RAJA :—"Sir, I rise to offer my sincere congratulations to Sir A.P. Patro, a true patriot, and an astute statesman and to the Members of the Madras Parliamentary Committee who have been equally good and true for the excellent and interesting report which they have produced. Sir, constituted as we are, human nature being what it is, and in consideration of the fact that we are obsessed with communal troubles, it is easy for any one to find arguments for or against the points contained in the report. For

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instance, some may agree and some may not, on the question of the constitution of a Second Chamber in the province. I should however express myself here in its favour. There are similarly other points open to discussion but one thing is certain. The magnificent gesture in favour of provincial autonomy recommended by the Committee is a striking testimony to the great work done by the great democratic party. I mean the Justice Party."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is not at all relevant."

Mr. S. N. DORAI RAJA :—" I congratulate the Parliamentary Committee constituted by this House, and also the Government for their generosity and great political acumen in giving us the proper panacea for the political ills we are suffering from."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, the President, members and the Secretary of this Provincial Committee are to be congratulated on the excellent report they have submitted to this Council. They have done their work with a thoroughness and breadth of outlook which should satisfy the most exacting political critic. The recommendations they have made are the result, I find, of careful investigation, a searching analysis, and an independent and impartial estimate of the present political situation and of future requirements. Sir, it would take too long a time to enter into a detailed criticism of the report. I should satisfy myself with drawing attention to three or four salient features which go to show that the Committee have made the best use of their opportunities and to justify the opinion, that the report, as we have it, has a special value both by reason of its safeguards and on account of the frank and fearless exposition of the case necessitating a bolder advance in the direction of full responsible government. As a proof of the Committee's clearness of vision, I beg to cite the following : At page 5 in the first paragraph, we find this sentence :

'Peace is good but when for the large mass of the people it is not coupled with economic progress, it is but barren.'

Again, at page 12 we read :

'Those economic departments of the Central Government are of vital importance to the people of India in all the Provinces. The appalling poverty of the people, the large amount of unemployment among the educated classes and the comparatively small return India gets from her enormous natural resources, all demand that control over the economic life of India should be transferred to the people of India. In these departments no religious or caste differences can have any effect.'

"This is a striking recognition of the rapid change that is coming over this country and is bound to come with accelerated speed in future on account of the growth of that new humanity consequent upon mass civilization. By mass civilization I mean, the civilization not so much of masses in the ordinary sense of the word but of economic aggregates which arise from the grouping of masses of population and capital round particular economic interests. This new humanity which is bound to increase with the creation of new sources of wealth can live only in masses."

"The end of its civilization which is the material well-being is not restricted to a particular class, but is the common aim of every member of the group. It makes life for the ordinary person more enjoyable, richer in opportunities than it ever was before. Critics, Sir, may sneer at it and term it

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the civilization of a train-driver, but nothing can check the tentacular advance of the civilization of the wireless set, the cinema, the theatre, the motor bike, the motor car and the bungalow. We find members of this group putting off their individuality and conforming to standardized types of thought and conduct. This, Sir, extends even to details of taste and personal habits. A certain way of dressing, furnishing the home, feeding and of enjoying oneself once advertized to the public and successfully launched becomes entrenched and defended through the solidarity of manufacturers, workers, whole-salers, shop-keepers, salesmen all banded together in quest of profits they will commonly share. Now, Sir, this civilization which finds itself in its most fully developed form in the United States of America is not wholly materialistic. Its enthusiasm for ethical and social progress is shown by the successful working of prohibition in that country. This report shows, Sir, the clearness of vision with which the Committee have grappled with the problem of having direct control over economic forces, and this new humanity and mass civilization which probably will give our statesmen many moments of anxious consideration in the near future.

"Secondly, I find that the same clearness of vision characterizes the sections of the report on the general survey, the working of dyarchy in Madras, the working of the Central Government, etc. Full responsible government is demanded as a *sine qua non* for awakening and developing of the newly awakened public opinion, for stimulating social legislation, for reshaping of Indian society, for stimulating the progressive spread of effective education and for the radical improvement or rather the awakening of selfless patriotism for the radical improvement of the amenities of the village. The conclusion arrived at at the end of the third paragraph on page 10, namely, 'if the principle of democratic government is to be introduced, it is as necessary to introduce it in regard to central subjects as in regard to provincial subjects' is the result of a fine piece of reasoning as convincing as it is obvious.

"Thirdly, Sir, dealing with the actual political changes and the proposals submitted by this Committee, it might be thought that they fall short of the ideal set up, that the form and shape given to the demand by the Committee in their recommendations on pages 11 to 14 do not fully rise up to the national claim for the introduction of democracy into this country. I for one have no misgivings or apprehensions on this point. Somehow Indian politicians have come to link up political developments in this country with political developments in the west. They speak of the constitutional changes always in terms of parliamentary institutions and that, at a time, when parliamentary government even in England is beginning to show signs of political and social weakness and is said, by some critics, not to be thoroughly representative, at a time when parliamentary government on the continent is shown to be a failure by the growth of fascism and the setting up of dictatorships. But parliamentary government has come to stay and, as I shall show later, we can build only on the past, that is to say, on the constitutional changes already introduced into this country and especially the Montagu-Chelmsford Reforms which have formed the subject of further investigation by this Committee. But I want to emphasize one point, Sir. The essential thing is the creation not so much of a new state machine as of new minds and a new spirit. The parliamentary system can only function in a stable society, where all active political elements are agreed on fundamental matters. It invokes the opposition of parties and

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also, and chiefly, their co-operation. Every party conflict cannot be a fight to the last, a fight to the bitter end. It is a game which can only be played by strict adhesion to the rules of the game. It is not an accident that the very same people that created this parliamentary system of government were also the inventors of the game of cricket. Both are parallel expressions of the same psychic principle. Therefore, whatever my other friends may think of these proposals, I think that the safeguards which the Committee have thought fit to introduce, the anxiety they show to avoid the preponderance or class interests are very necessary; at least they are perfectly intelligible. The Committee want to guard against two dangers. First there is the danger of political parties becoming the organs of predominating class interests, in which case we are threatened with social weakness or even social disruption. The other danger is the danger of the politician becoming the agent of industrial and financial powers who dictate his policy from behind the scenes. In either case, the Council will become not a healthy political debating ground or society, not a sound deliberative assembly, but a battle field for impersonal forces. Therefore the very anxiety shown by the Committee to have all classes and interests represented is a precaution taken by them to avoid the predominance of class interests, the shifting of the centre of gravity from the political to the economic or class sphere.

"Sir, the essential point in parliamentary government as I have stated is not conflict but co-operation. Should the Council for instance become a chaos of warring parties it would represent, not permanent interests, but shifting interests or a shifting coalition of opinions. There is much practical wisdom shown by the members of this Committee in turning to the past, to the constitutional changes so far introduced into this country in taking stock of the actual situation, the defects or the advantages in the working of, or the benefits or otherwise which have followed in the wake of the Montagu-Chelmsford Reforms, and in making their suggestions for the future rest upon the past, the experiment so far tried, the working of the constitution so far. Hence also the political wisdom of the members of this Committee in emphasizing the need for social legislation in order to avoid a class conflict. This class conflict is a morbid symptom, an ugly phenomenon flourishing in a society where the class system or class distinctions have become antiquated and no longer represent the real economic or social interests. The reshaping of Indian society so much emphasized here by the Committee will bring it into harmony with existing social and economic realities. Sir, there is also one dominating note running through the entire report pointing out and demanding that India should be allowed to live its own life. This is but the expression of the ideal that by allowing full scope for the spontaneous activities of the people the way should be prepared for the union of all creative forces of national life in the service of a constructive policy. There are, Sir, in this report, sentences like the following :

'As regards the formation of constituencies, we are in favour of single-member constituencies provided they are formed so as to avoid the preponderance of one community in any particular constituency.'

"And again, 'Just as the Council had the power to give votes to women and did give them, the Council may well be given the power to extend the franchise as and when it thinks fit.'

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"While the Committee therefore are anxious to avoid the clash of preponderating class interests and want to hold the scales even between different communities, they also suggest how very necessary it is that reform must proceed from within by the union of the creative national forces and by the gradual reform and transformation of political and social institutions which will bring them into line with the new type of cultural unity. Sir, the changes recommended here are the necessary and natural results or developments of political life and political growth which as I said, have struck deep roots. Such healthy natural developments or political changes, which are but adaptations or fuller realizations of the new need or spirit have always the power and the vigour which make them endure. I for one believe, Sir, that . . ."

The hon. the PRESIDENT :—"Order, order. I have been trying to follow the hon. Member, and his attempt seems to be to comment upon every recommendation made by the Committee. I do not think that is the real scope of the motion. The real scope of the motion is to express the opinion of the House as far as the various recommendations of the Committee are concerned, to say whether they disagree, and if they disagree, how they propose to amend it. Mere running comment on the various recommendations of the Committee cannot be relevant strictly to the motion now under discussion. Whatever the members of the Committee wanted to say, they have expressed in the report and I think the House will not be right in making comments on the various recommendations. The Committee have taken very good care to put the recommendations in as concise a manner as possible, and this should not be taken as an opportunity to explain every idea therein contained."

* Rao Bahadur B. MUNISWAMI NAYUDU :—"May I submit for your consideration one point, Sir? At the time this Committee was appointed it was mentioned in this House that the proposals to be made by them might be placed before the House, so that the Council may have an opportunity to express its opinion on the recommendations, and in expressing their opinions now hon. Members have to state . . ."

* The hon. the PRESIDENT :—"If you give a shape to any opinion, I shall put it to the House as an amendment to this report. The terms of the proposition may be 'we agree with the recommendations,' 'we modify the recommendations in this particular,' and so on. That may be a relevant amendment to the motion, and that will be really expressing an opinion. An opportunity is given to the House to express its opinion regarding the report of this Committee. You may say that you agree with it, or that you do not agree with particular recommendations which you want to be modified, and state it in the form of amendment. So there is every opportunity for the Members if they want to raise any particular point."

Rao Bahadur B. MUNISWAMI NAYUDU :—"As you said, Sir, one method is to express the opinion of the House definitely in the form of a resolution or resolutions. Another method is, as Sir Patro moved that this report may be submitted to the Simon Commission, to send it along with the speeches made by individual Members of this House. In that way the opinion of the House can be ascertained. It may not be a clear opinion of the House, but it would contain statements of what the various Members of this House feel

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on the matter. Therefore, Sir, I respectfully submit that, whether we agree or we do not agree with some recommendations, we may be allowed to express an opinion."

* The hon. the PRESIDENT :—" The only difficulty for me is to control the relevancy. If you take the whole field of the contents of the report, and if you make speeches thereon, really I will not be in a position to control the debate. Of course, if hon. Members want to make comments on every sentence, it will mean speaking on the report, but it will not be relevant to the motion before the House on which the discussion has to be concentrated."

Mr. S. ARPUDASWAMI UDAYAR :—" Sir, my words may not have conveyed a correct impression to you. What I wanted to say was that I was in substantial agreement with the recommendations of the Committee, and that I consider that these recommendations are in accordance with sound political principles. If I have not exactly conveyed that impression, I beg your pardon, Sir. I will finish what I have to say in one or two sentences.

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noon.

"I was saying, Sir, that the proposed changes or modifications are all based on, grow out of and are relevant to, or are adaptations of the old order of things, and I congratulate the Committee on having made such important modifications as are really needed by the new conditions. I hope, Sir, that this report of the Provincial Committee will, like the other report submitted by the Madras Government, contribute not a little to the proper shaping of the new constitution to which we are all anxiously looking forward as destined to usher in a new era of peace and prosperity to the people of this country."

* Mr. F. E. JAMES (speaking from the front Opposition bench) :—" Mr. President, Sir, ..."

* The hon. the PRESIDENT :—" The hon. Member speaking from there will give the impression that he is constituting a temporary Opposition."

Mr. F. E. JAMES (speaking from the Treasury bench) :—" I desire, Sir, ..."

Mr. S. N. DORAI RAJA :—" Is he in order, Sir, to speak from the Treasury bench ?"

* The hon. the PRESIDENT :—" He is perfectly in order."

Mr. F. E. JAMES :—" I speak from here as a matter of convenience, with your kind permission.

"I desire to support the motion, which is before the House, for the consideration of the Report of the Provincial Committee and for its being forwarded to the Simon Commission. In doing so, Sir, I should like to make one or two observations upon the recommendations contained in this report. I have to say, in the first place, that most of the recommendations, so far as they relate to the Provincial Government, have our approval and sympathy. There are one or two points on which it appears that the Committee itself was to some extent divided, and, on these points, I should like to make a few observations.

"In the first place, when we turn to the extension of the franchise, it is the considered opinion of those whom I represent that at the present stage there should not be any further extension of the franchise for the reason that

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when we are engaged in building a new structure it is wise to make the foundation on which that structure is built absolutely stable and secure. To extend the franchise at the same time, as if you are building your upper structure, seems to be political unwisdom.

"In the second place, with regard to the representation of the depressed and labouring classes, I am asked to mention that the Planters' Constituency, which I represent in my capacity in this House, are very anxious that the representation of the depressed classes should be extended. As to whether the method suggested in the Report is the best method is perhaps a matter of some debate. But on the principle of securing an increased representation to the labouring or depressed classes, there is absolutely no difference of opinion between the authors of this Report and the constituents whom I represent.

"Further, I have to make one observation with regard to the recommendation which refers to the transfer of what is popularly known as law and order. The group which I represent and the interests which that group represents are entirely in favour of the transfer of the Police department, if I may put it more accurately, to the ministry which is responsible to the House. Our view is very clearly stated in a paragraph which is taken from the original memorandum submitted by the Associated Chambers of Commerce to the Simon Commission, which reads 'that the problem is largely one of principle, that the elementary and primary duty of any government is the maintenance of law and order and that if provincial governments are not to be trusted with that responsibility, the only logical attitude is to say that the time has not yet come for any further advance towards provincial autonomy.' It is the view of my constituents that the time has come, in Madras at any rate, for a further advance towards provincial autonomy, and in that advance it is essential that the control of the forces of law and order should be handed over to a newly constituted ministry. I have also to observe that on the part of my constituency there is apprehension in regard to the Malabar Special Police Force. This force is by them regarded as a force of armed troops, and they suggest that if this force is to be given a new lease under the new constitution there should be some arrangement whereby it should be subject to the control and administration of the Central Government.

"With regard to the recommendation in this Report concerning the second Chamber, I have only one observation to make. The members of our group and indeed the various constituencies which this group represents, are divided in their opinion as to the necessity for a second Chamber. The majority hold that there is no necessity for a second Chamber in this province, and therefore agree with the memorandum submitted by the Government of Madras on that point.

"Now, Sir, we come to the proposals of the Provincial Committee in regard to the Central Government, and here I have to observe that we do differ to a considerable extent from the proposal they outline. The main proposal is that the principle of diarchy should be introduced into the Central Government. I am aware that the authors of this Report state that by fixing the budgets of the three non-transferred departments for a number of years they will have a system which they suggest does not correspond to the system of diarchy which obtains in the provinces and which has been condemned by so many. We are not of the same opinion as the authors of that report. We

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think that the principle of a fixed budget for a number of years is a very dangerous one to introduce in any Government. The fixing of the budget would not in any way detract from the central defect of the scheme, namely, that it introduces this principle of diarchy. It has been admitted on almost every hand that the principle of a divided executive, generally speaking, is a bad one. It is urged of course that it is necessary under certain conditions, especially during conditions of transition. But, nevertheless the defects of that hybrid system have been too obvious to my own constituency, and therefore we are not able to support this particular part of the recommendation. We do suggest that when you are devolving tremendous powers of responsibility in the provinces, you should take every step to ensure that the central executive is strong. The objection to diarchy urged by many intelligent politicians was that diarchy means weakness in the executive, and it is on this account and this account alone that we fear the introduction of the same principle into the Central Government. My community is in no way suggesting this to effect any barrier to normal progress towards self-government in this country. But they are frankly apprehensive that the particular method suggested by the authors of this report is not in the best interests of the country, and certainly is not conducive to the establishment of that strong executive at the centre, which we believe is absolutely essential in view of the devolution at the circumference which is to proceed. We believe that the number of the Members of the Executive Council should be increased. We think that there should be included in the Executive Council Members who are chosen by His Excellency the Viceroy from the Indian Legislature; but beyond these two general, slight recommendations we do not commit ourselves further.

"One other small thing I would say in this respect, and that is that we do agree with the suggestion that has been made in one quarter that the official representatives of provincial Governments who attend the Indian legislature should be free to vote as instructed by their Governments and should not form part of the Central Governmental block.

"There is one other point, which I omitted to mention earlier, and that is in regard to the suggestion made by one of the Members of the Provincial Committee that there should be introduced into the system of election for the Central legislature the principle of indirect election. We do agree with that on general principle. We do believe that by a system of indirect election from local Provincial Councils and from other public bodies you would probably get a more representative imperial Assembly than is possible to obtain through the medium of direct election by an enormous constituency.

"I only have one or two observations to make in regard to a few more suggestions in the Report. With regard to defence, we entirely agree—the European Association has suggested so time and again, and their representatives have said so in the Legislative Assembly—we entirely agree that increased opportunities should be opened and offered to Indians of all provinces for military training. Speaking further still on the constitutional matter, we agree with the authors of this report when they urge that whatever changes are made as a result of the present discussion of the Simon Commission, they trust that the constitution will have, within itself, its own seeds of development and that we should not have recourse after a period of years to another commission of enquiry, an external commission in order to discover wherein the

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constitution needs further development or wherein its development should be retarded. We believe that this country has got to decide its own development and we hope that whatever constitution is given to this country as a result of the present deliberations it will contain within itself the germs of that orderly development which are so important for its prosperity and welfare.

"I have two other things to say in regard to this report. The first is that while my constituents are prepared to support the general provisions of this report as far as they relate to Madras, they wish to make one thing perfectly clear. They have felt for some time past that there has been in this country a tendency to introduce legislation and other executive action of Government which discriminate or tend to discriminate against the commercial interests of the British community in this country. Now, Sir, I will not say anything more about that in detail except this, that while we are prepared to support and urge further advance in the province, we definitely do ask, not for special treatment, but at least for national treatment for the industries and commerce which are established in India, whether registered or not. And we ask that those interests which we have in this country should be adequately protected against discriminatory legislation of a racial character. We feel naturally that our request for what we conceive to be simple elementary justice in this matter should not operate in the case of those nationals which discriminate against India. This restraint, if restraint it may be called, upon the power of the legislature should only apply to the case of those countries which do not discriminate against India. We Britishers ask for no privilege, but we ask for the same impartial treatment as is accorded to Indian commerce in Britain. If such a provision were incorporated, either by instrument or in the statute itself, many of our apprehensions as to the future would vanish and we should find ourselves ready to support many of the propositions put forward by leaders of Indian opinion.

"I have nothing more to say in regard to this report except this, that we congratulate its authors upon the document which they have presented. We trust and believe that it will receive the consideration which it deserves at the hands of the Simon Commission. We believe it has in it opportunities for co-operation amongst all sections and races in this country, and I speak on behalf of the Europeans, when I say this, that we do hold out to those who are endeavouring to advance the political status of Madras the hand of co-operation, and we trust they will take it. We do feel increasingly the urgent need for a constitutional settlement. We feel that it becomes more urgent as time goes on. It is urgent because unless and until political conditions in this country are settled, there cannot be any rapid development in trade and commerce. We feel also that there are in the situation to-day elements of danger not only to Government but to many of the national leaders of India. I need not enter into those elements. They are at the bottom of all social and economic disturbance in the life of the masses to-day. But those elements are increasing in importance, and I venture to suggest that unless India can achieve within the near future some settled condition of political development, there is a danger lest this new force will not only sweep away that order in the life of the country for which the British Government in this country is largely responsible but will also sweep away in its onrush those stable factors which contribute towards the progress and prosperity of the country. I therefore have pleasure in supporting the motion that this report be forwarded to the Simon Commission for consideration."

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* Mr. V. I. MUNISWAMI PILLAI :—" Mr. President, I rise to congratulate the Chairman and the members of the Committee for the able work they have done in preparing this memorandum to the Simon Commission. Sir, if I begin to observe certain things, it is in connexion with the depressed classes which form one-sixth of the population of this country. Sir, at page 8 of the report, it is said 'District and taluk boards and municipal councils have been almost completely democratized and de-officialized.' Sir, there are still municipal councils and district boards unrepresented by this community, and if any member of this community stands for election, they think that the very portals of the Council chambers will be polluted if such members were returned.

" At page 11, the Committee have recommended 'the grant of full provincial autonomy or full responsible Government.' Personally I say it is good but considering the position of the depressed classes, their backwardness in education and their economic state, I should not think that we could embrace this provincial autonomy. Whatever form of responsible Government the framers of the constitution may give us, I would suggest that proper safeguards must be provided to give the depressed classes a share in the political power of the land.

" On page 16, we see that the Committee has reported that the number of electors belonging to the depressed classes is only 4 per cent of the total voters. But under franchise they say that they are not in favour at present of an extension of the franchise. I quite see the difficulty of the authors of the report, but what I would advance is this, that unless the depressed classes are given an increased franchise, they will not be able to come in large numbers into the provincial and imperial legislatures. One of the complaints, the report says, is that in the public services all communities are not well represented. From practical experience I know that in every district and taluk, in all the higher offices, a very small number of depressed class people have found place. And if there is any complaint it is from the depressed classes, and I am sure the British Government, when dealing with this question, will see that according to population the recruitment to service is made from the depressed classes. Another thing is no provision has been made for the representation of agricultural labour. Sir, in the report submitted by the Government of Madras, I find that they have suggested twelve seats for the depressed classes. I do not know whether they include agricultural labour. Whatever it may be, most of the agricultural labourers are drawn from the depressed classes, and there must be a certain amount of representation for agricultural labour in the legislatures, local and imperial.

" One other point I would draw attention to is that under the 'Defence of India,' it is said 'Recruitment to officerships should be open to all classes.' I think that a special preference should be given to the families of depressed classes who have done meritorious service to the Crown. Sir, it is admitted that during the past wars the depressed classes have shed their blood at the altar of service and had been loyal to the very core, and under 'Defence of India' the depressed classes must be given a very big share. With these observations, I again congratulate the members and the Chairman of this Committee."

* Mr. C. GOPALA MENON :—" Sir, I wish to express my appreciation of the work done by Sir A. P. Patro, Chairman of the Committee, and his colleagues

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in bringing out this report. They undertook the work in the teeth of opposition but they did the work because they considered it a patriotic duty and that it is for the lasting good of the province. It must, also, be pointed out that they did the work on equal terms with the Simon Committee; they had the liberty of seeing every document and memoranda that were submitted to the Commission and hearing every witness that came up before the Commission. The recommendations of the committee, all put together, constitute a case for the grant of provincial autonomy and full responsible Government to the province. Their claim for provincial autonomy is based as pointed out in the report not on the working of diarchy for the past ten years, but on the plea of the forces that were in existence at the time the 1917 declaration was made. How far the forces which existed at the time of Montague-Chelmsford report still exist and how far they have been strengthened for the last ten years are factors that go to determine the further advance in granting political reforms. These forces may be mentioned as the country's leaning towards democracy, India's fidelity to Great Britain, war services, announcement of the 1917 declaration, the political awakening in India, the progress of local self-government institutions, the responsible positions held by Indians since Minto-Morley reforms, and the progress of non-official elements of the Legislative Councils since Morley's time.

"The report says in a general way that the progress made in the last ten years under Indian direction in education, local self-government and in general enterprise amply justifies further political advance. It would have been better if the committee in recording this statement showed by giving statistics how far local self-government institutions have progressed during the decade under ministerial administration in respect of sources of revenue, systematic expenditure, political education of the masses by means of the franchise, progress of panchayats and unions in villages, administrative capacity for local conditions, educational and sanitary progress and communications. It would have been better if they had examined the financial relations between the provincial Government and the local bodies, in respect of further financial powers to be delegated to local bodies, how far more resources could be left to them to be tapped and how far their function could be expanded to approximate to, say, to the County Councils in Great Britain in regard to the control of public servants of the area, police surveillance, etc. The Committee should also have examined the necessity for the several, present local bodies, and for an equitable re-allocation of functions without causing friction between two local authorities. In cases of dispute between local authorities in England there is an institution called the Local Self-Government Board to whom all questions of dispute are submitted for arbitration. Whether such a body needs to be created under the new reforms should have been examined and recommendations made by the Committee. With regard to franchise, I find that the Committee are for retaining the present system of franchise and voted for single member constituencies. Of course, there is difference of opinion on this question and as for my part, I am of opinion, that plural constituencies are better than single constituencies."

"With regard to the second chamber, I find that the memorandum of the Madras Government have wisely voted for a single house but the committee are for the creation of a second chamber. I do not agree with the

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report in this respect. In so far as the franchise is so limited and the percentage of electors to the population is so small, one cannot be afraid of mob-legislation for a long time to come in India and the necessity for a revising second chamber is hard to see."

"Coming now to the question of finance, I find that question has been brushed aside by the Committee by merely mentioning that they fully agree with the views expressed in the memorandum of the Madras Government. This is the last sentence under paragraph 'financial' in the report dealing with finance :—'If the Meston Settlement is to be revised, there should be no loss to any province of the revenues which it now enjoys.' Sir, it would have been better if the Committee had given an allocation of financial relations between this province and the central Government so as to allow an equitable distribution of the resources of the country. We all know that the central Government has to be made as strong as possible, and therefore a contribution from provincial Governments will be necessary and for that purpose it would have been better if the Committee had suggested a method of allocation of the funds between the provincial and central Governments. As it is, they (the Committee) are satisfied with the Meston Settlement while on the other hand we have been agitating for the abolition of the Meston Settlement. This aspect of the financial relationship should have been closely examined."

* The hon. the PRESIDENT :—"I do not think the hon. Member will be justified in making the House wait."

Mr. C. GOPALA MENON :—"I heartily support the motion for the adoption of the report."

* Mr. A. B. SHETTY :—"Mr. President, Sir, I shall confine my observations only to two matters, viz., the question of communal electorates and the proposal to have a second chamber. The proposals made in this report are more or less similar to those made in the Government memorandum so far as they relate to the provincial Government. The new constitution is proposed to be modelled in the main on the British Parliamentary system. Now, Sir, it is well known that the (British) Parliamentary form of Government is based on the existence of established party politics. The system of party organizations based on political programmes has not yet grown up in this country. We must create the conditions necessary for such a growth, if we want to work successfully any system of responsible Government."

"The system of communal electorates is admitted by the Madras Government in their memorandum to be contrary to the true spirit of representative institutions. The Montagu-Chelmsford's report has also condemned it on the ground that it is opposed to the teaching of history, that it will teach men to think as partisans and not as citizens and perpetuate class division and that it will be a serious obstacle to the growth of responsible Government. The distinguished authors of this report felt, however, compelled to recommend its retention for some time, because of the Lucknow pact and the pledge given by the Government to the Muhammadans. But they expressed the hope that a time would come when communal electorates would be voluntarily given up by the people who wanted it. At a time like this when we are taking a big step towards self-government, it will be very unfortunate if the system of communal electorates is to be allowed to continue as proposed by this Simon Committee. If we are to evolve a party system based on political differences

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and not on class distinctions, we must give up communal electorates. It is noteworthy that a number of All-India Christian Conferences have expressed themselves to be in favour of joint electorates, though the Christians in this province are not prepared to go with them. The Sikhs also have agreed to give up the privilege of a separate electorate. A considerable section of progressive Muslims too in this country have agreed to give up communal electorates, if there be reservation of seats for them. It is on the basis of the agreement reached at the All-Parties Conference that the Nehru Committee has made its proposals in regard to the adoption of a joint electorate with reservation of seats. These proposals deserve, therefore, the best consideration of the Government. If the Muslims and other minority communities could be persuaded to agree to the abolition of communal electorates, it would be a great step towards national unification. The Ceylon Reforms Enquiry Committee has recommended the abolition of communal electorates and I trust this will be taken note of and the advantages and possibilities of doing away with communal electorates will be examined by the Government, though this Simon Committee has not made such a recommendation. It is true that Muslims and other minority communities are distrustful of the Hindu majority but special safeguards may be provided for them in the constitution and guarantees given for the educational and economic advances of backward communities as proposed by the Nehru Committee. The provision of a second chamber proposed in the report of this Committee will further safeguard the interest of minorities. My hon. Friends, Mr. James and Mr. Gopala Menon, expressed themselves against the constitution of a second chamber but they did not give any reasons for doing so. The second chamber has been almost universally adopted in countries where the popular form of government has been established. It is intended for the purpose of revising legislation passed by the popular branch of the legislature, for preventing hasty legislation and for protecting the interests of minority communities. The Montford Report decided for the time against bicameral institutions in the provinces but it has said that, as provincial councils approach more closely to parliamentary forms, the need for second chambers may be all the more felt. Accordingly under section 84-A of the Government of India Act, the question of establishing second chambers in the local legislatures has been put down as one of the points for inquiry by the next Commission. A second chamber, if its powers and functions are restricted, cannot by any means be said to be against the democratic principle. Political thinkers are generally agreed as to the need for a second chamber, a need which is more and more felt with the growth of democracy. The second chamber must be so constituted as to give proper representation to men of age, ability and experience who will not ordinarily seek election to the lower house. It must also give more effective representation to minorities so that all exploitation of and injustice to minority communities may become impossible. If we have such a second chamber, the popular chamber can be made an entirely democratic body with no communal or special electorates. The popular chamber will then educate the people to nationalism. I am, therefore, in sympathy with the committee's proposal to have a second chamber and I trust it will make it easier for us to drop communal electorates for the lower house."

* The hon. the PRESIDENT :—"I take it that the House is ready for a vote.

REPORT OF THE COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL 637
TO CONFER WITH THE INDIAN STATUTORY COMMISSION

12th August 1929]

[The President]

“ The question is—

‘ that the report of the Committee of this Council elected in pursuance of the resolution of this Council, dated 4th September 1928, to confer with the Indian Statutory Commission be taken into consideration and that it be forwarded to the commission ’.”

The motion was put and carried.

IV

THE MADRAS SERVICES COMMISSION BILL.

* The hon. the PRESIDENT :—“ The Council will now take up for consideration the Madras Services Commission Bill of 1929.”

12-45
p.m.

Clause 4.

Clause 4 was put, passed and added to the Bill.

Clause 5.

Clause 5 was put, passed and added to the Bill.

Clause 6.

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ I beg to move—
‘ that clause 6 of the Bill be omitted ’.”

“ Clause 6, as you know, deals with appointment and salary of the Secretary to the Commission and I propose that the clause be omitted. I do not think that it is usual, Sir, that, in such Bills where provision is made for the appointment of any particular commissions or departments, even the Secretary is appointed by the Act itself. We can understand the Commission being appointed under the Statute itself, but there is absolutely no reason why the Secretary of the Commission also is to be appointed under the Act. Our complaint is that the Commission is a very costly business and whenever and wherever it is possible to reduce the cost we must do so. In this case, we have not only provided for the appointment of the Secretary but his salary is practically fixed at Rs. 1,500. Of course, it may be said that this amount has been given as the maximum limit and not the minimum. But our experience of the last nine years and more tells us that whenever a maximum is fixed for a post, any officer who is appointed to that post is at once given the maximum pay with a possible request sooner or later that his pay should be increased. In this case that the pay of the Secretary of the Commission should be fixed at Rs. 1,500 seems to be very, very high. I believe the Secretary of this Legislative Council whose functions are, I think, varied and very difficult to perform, gets only Rs. 1,000 and there is no reason at all why the Secretary of this Commission should get Rs. 1,500. There is again, Sir, a proviso in the clause that if the person so appointed is at the time of his appointment a Government servant his salary shall be fixed with the previous sanction of the Local Government.

“ It may be said that this proviso will prevent the indiscriminate appointment of a Government servant as the Secretary. So far as I am concerned, it does not very much matter whether the Secretary is to be a Government servant or not. Probably if Government servants are appointed it will be a great advantage to the Commission because these Government servants would have had sufficient experience in performing executive functions. There is no meaning in saying that we have provided a proviso